

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

TIME 9:54 (OPEN)

DATE 12/17/03

JUDGE David Folsom

REPORTER Libby Brawford
DEPUTY M

VEECK

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§

PLAINTIFF

VS

§

CIVIL ACTION NO. ~~9~~98CV63

SOUTHERN BUILDING CODE

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MOTION HEARING

DEFENDANT

ATTORNEYS FOR PLAINTIFF: Phillip Weisberg

ATTORNEYS FOR DEFENDANT: Robert Veal

LAW CLERK: Tom Gorham

THIS DAY CAME THE PARTIES BY THEIR ATTORNEYS AND THE FOLLOWING PROCEEDINGS WERE HAD:

9:56 ct opens; Weisberg/ argues motion; ct/ request for fees, and request for fees that was denied by the circuit; 9:58 Weisberg/ responds; 10:06 ct/ final judgment was never entered; Veal/ add ct; 10:07 Weisberg/ issues that were raised in pleadings; 10:11 ct/ would like to hear from Mr. Veal; what is clients position of entry of a final judgment; Veal/ is taking position that one has been entered and responds to Mr. Weisberg; request for fees was not timely filed; 10:17 ct/ does not consider that order a final judgment and did not know if there were other issues which needed attention besides attys fees; 10:17 Weisberg/ replies; 10:26 recess; 10:27 ICC, ct/ feels that a final judgment should be entered; Veal/ has not addressed fees on the merits; ct/ would like ptys to go through mediation with Judge Faulknor; 10:28 Weisberg/ not opposed to mediation; Veal/ not opposed to mediation; SBCCI does not exist anymore; ct/ veal to report back by Monday by fax if client would like to go through mediation; ptys agree to Judge Faulknor; if mediation is opposed then ct will enter a final judgment; ptys can agree to final judgment and forward it to the ct; 10:33 recess;

DAVID J. MALAND, CLERK
BY: Mel Martin Deputy

TIME: 10:33 (ADJOURN)

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